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Attorneys for Defendant  
FREMONT UNIFIED SCHOOL DISTRICT

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

K.S., a minor, by and through her parents,  
P.S. and M.S.,

Plaintiff,

v.

FREMONT UNIFIED SCHOOL  
DISTRICT,

Defendant.

Case No. C06 7218 SI

**STIPULATION AND [PROPOSED] ORDER  
CONTINUING HEARING DATE ON  
DEFENDANT'S MOTION TO DISMISS**

DATE: February 9, 2007  
TIME: 9:00 a.m.  
LOCATION: Courtroom 10, 19<sup>th</sup> Floor.  
JUDGE: Hon. Susan Illston

Complaint Filed: Nov. 21, 2006

The parties hereto by and through their counsel of record hereby stipulate and agree that the hearing date for defendant FREMONT UNIFIED SCHOOL DISTRICT's motion to dismiss, currently scheduled for 9:00 a.m., February 9, 2007, shall be continued to 9:00 a.m., February 23, 2007, or a time and date as soon thereafter as convenient to the Court.

The parties further stipulate and agree that the defendant's reply in support of its motion to dismiss shall be due February 9, 2007 in accordance with local and federal rules.

Good cause exists for continuing the hearing date for defendant's motion in that the parties had previously agreed to an extension of time for plaintiff's opposition, and had intended to



1 provide an equivalent extension for defendant's reply, but through mutual mistake failed to do so.  
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3 DATED: 1/26/07

MILLER BROWN & DANNIS

By: 

ELIZABETH ESTES

AMY R. LEVINE

DAMARA MOORE

Attorneys for Defendant

FREMONT UNIFIED SCHOOL DISTRICT

9 DATED: 1/25/07

LEIGH LAW GROUP DBA EDULEGAL

By: 

MANDY G. LEIGH

Attorneys for Plaintiff

K.S., a minor, by and through her parents, P.S.  
and M.S.

17 IT IS SO ORDERED.

19 DATED: \_\_\_\_\_  
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Hon. Susan Ilston  
United States District Court Judge